



DEPARTMENT OF LAW
OFFICE OF THE
Attorney General
STATE CAPITOL
Phoenix, Arizona 85007
November 1, 1976

BRUCE E. BABBITT
ATTORNEY GENERAL

(R76-227)

76-305

Mr. Edward G. (Bunch) Guerrero
State Representative, Minority Floor Leader
P. O. Box 521
Globe, Arizona 85501

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Dear Representative Guerrero:

This letter is in response to your request for an opinion from this office concerning whether Miami Union Unified School District No. 40 can obligate future school boards for a multi-year building program through the use of \$.60 levy funds pursuant to A.R.S. § 15-455.

As you may be aware, an opinion 76-6 (R-6) (R76-102) has been issued by this office recently, a copy of which I enclose, on the specific issue of using levy monies under A.R.S. § 15-445 to finance school construction through multi-year lease purchase agreements. We concluded that for common and high schools a lease-purchase can be used only for portable classrooms and transportation equipment.

Based on this opinion and the facts of the proposal outlined in your letter, we must conclude that the Miami School District can not commit future \$.60 levy monies for the \$3.5 million building program, but must either submit the proposal for approval by the electorate in a bond election or accumulate adequate levy funds.

It would appear that our recent opinion and the above explanation should be determinative of the remaining questions presented in your letter. If there should be any need to address these matters further, please don't hesitate to let me know.

Sincerely,

BRUCE E. BABBITT
Attorney General

Dale E. Pontius
DALE E. PONTIUS
Assistant Attorney General

DEP:vld

cc: Mr. Paul Lemon
Miami School District

